

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

ORIGINAL

In the Matter of)

Revision of the Commission's Rules)

To Ensure Compatibility with)

Enhanced 911 Emergency Calling Systems)

CC Docket No. 94-102

RM-8143

To: The Commission

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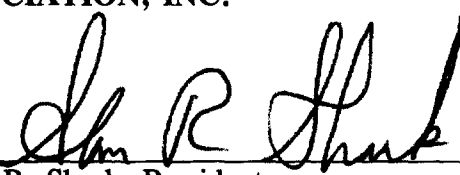
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

REPLY COMMENTS OF THE
AMERICAN MOBILE TELECOMMUNICATIONS
ASSOCIATION, INC.
TO THE FURTHER NOTICE OF PROPOSED RULEMAKING

Respectfully submitted,

AMERICAN MOBILE TELECOMMUNICATIONS
ASSOCIATION, INC.

By:


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October 25, 1996

1. The American Mobile Telecommunications Association, Inc. ("AMTA" or "Association"), in accordance with Section 1.415 of the Federal Communications Commission ("FCC" or "Commission") Rules and Regulation, respectfully submits its Reply Comments on the Further Notice portion of the above-entitled proceeding.¹ AMTA, as well as the many other participants in this proceeding, welcome the opportunity to provide enhanced 911 capabilities to the wireless-using public to the extent such capabilities can be made available on a cost-justifiable basis and can be utilized by the public safety agencies to which they are directed. As reliance on wireless telephony increases, so should its comparability to wireline service.

2. Nonetheless, the record in this phase of this proceeding provides compelling evidence that it would be premature to adopt the proposals in the Further Notice of Proposed Rulemaking ("FNPR"). In light of the absence of support for the technical or economic feasibility of the approach proposed in the Notice, AMTA recommends that the FCC terminate the FNPR without further action.

3. In its Comments in this proceeding, AMTA noted that "the expanded obligations being considered by the Commission are not likely to be technically feasible in the foreseeable future, and may not be so even in the longer-term."² That assessment was confirmed by numerous other experts in wireless communications capabilities, both equipment suppliers and service providers.³ These parties described the relatively nascent state-of-the-art of the location

¹ Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 94-102, __ Rcd __ (July 26, 1996) ("FNPR" or "Notice").

² AMTA Comments at ¶ 5.

³ See, e.g., Comments of E.F. Johnson Company, Ericsson Inc., Motorola, Inc., Lucent Technologies, Inc., Airtouch Communications, Inc., GTE Service Corporation, Southwestern Bell Mobile Systems, Inc. and Bell Atlantic NYNEX Mobile, Inc.

technology required to provide the caller information proposed in the Notice, and explained that it is not possible at this time to predict its likely availability within the timeframe specified in the FNPR. They highlighted the practical problems associated with pinpointing the location of a wireless unit to the degree of accuracy sought by the FCC, whether in a congested urban environment or a remote rural area. A number of parties suggested that consideration of the proposal in the FNPR, or alternative approaches, should be deferred at least until both the wireless and public safety communities have had an opportunity to evaluate the real world viability and public interest benefit of the Phase 1 requirements already adopted by the Commission. AMTA endorses that recommendation.

4. These same parties also uniformly opposed the FNPR's proposal to enable wireless 911 calls to be transmitted by any wireless system in the area in which the call is made. However desirable it might be to ensure that anyone needing assistance anywhere in this nation at any time would be able to reach help, that capability will necessarily be determined by cost and practicality considerations, as well as technological limitations. The wireless industry participants reminded the FCC that, over the past few decades, it has consistently declined to mandate a common equipment standard or common air interface even among systems in the same service, much less across the broad range of CMRS offerings. Instead, the Commission has expressed its confidence that the marketplace, not government, is the preferable forum in which such matters should be resolved, a confidence that has proven well-placed in numerous instances. They also advised the FCC of the additional costs and subscriber unit complexity that would be incurred by such a directive, factors that would be expected to discourage the rapidly growing use of wireless telephones contrary to the underlying objective of this proceeding.

5. The record does not support adoption of the proposals set out in this phase of the proceeding. For the reasons described in the earlier-filed Comments and outlined above, AMTA urges the FCC to terminate the FNPR at this time.

CERTIFICATE OF SERVICE

I, Linda J. Evans, a secretary in the law office of Lukas, McGowan, Nace & Gutierrez, hereby certify that I have, on this 25th day of October, 1996, caused to be mailed a copy of the foregoing Reply Comments to Further Notice of Proposed Rulemaking to the following:

- * Chairman Reed E. Hundt
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- * Commissioner James H. Quello
Federal Communications commission
1919 M Street, N.W., Room 802
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- * Commissioner Rachelle B. Chong
Federal Communications Commission
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- * Commissioner Susan Ness
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*Via Hand Delivery